IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

WP(C).No. 32618 OF 2006(G)

PETITIONER:

SINDHU,
PALLIPARAMBIL VEEDU, ARTHINKAL P.O.,
CHERTHALA.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:

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1. THE REGIONAL TRANSPORT AUTHORITY,
ALAPPUZHA, REPRESENTED BY ITS SECRETARY.

2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY, ALAPPUZHA.

3. THE DISTRICT TRANSPORT OFFICER,
K.S.R.T.C., ALAPPUZHA.

GOVT. PLEADER SMT. D.P. RENU.

R3 BY ADV. SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) 32618/2006

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1	TRUE COPY OF THE PROCEEDINGS DATED 30.5.2006.
EXT.P2	TRUE COPY OF THE JUDGMENT DATED 21.8.2006 IN M.V.A.A. NO. 258/06.
EXT.P3	TRUE COPY OF THE PROCEEDINGS DATED 31.10.2006.

RESPONDENTS' EXHIBITS;

NIL.

// TRUE COPY //

P.S. TO JUDGE.

knc/-

P.R. RAMAN, J.

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W.P.(C) NO. 32618 OF 2006

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DATED THIS, THE 8TH DAY OF JANUARY, 2007

J U D G M E N T

By Ext.P2 order, petitioner's appeal was allowed by the appellate tribunal finding that 10 kms. restriction is applicable for overlapping of routes under supplementation scheme and in the present case the scheme route overlapped is complete exclusion with exception. It was further held that since two intermediate points are not connected in the same line of travel of notified route the scheme will not be offended. This order was passed as early as on 21.8.2006. If at all, the only party aggrieved by this order is the K.S.R.T.C., the third respondent in Ext.P2. The third respondent has not filed any appeal against the said decision and as such, Ext.P2 has become final. The order of the authority is therefore binding on the first respondent who has necessarily to comply with the same.

In the absence of any materials placed before me to show that any review application was filed before the STAT and stay was obtained, merely because it is stated that some clarification is sought for is no answer for non implementation of Ext.P2. In the circumstances, there will be a direction to

the first respondent to implement the direction of STAT by Ext.P2 at any rate, within a period of two months.

The writ petition is disposed of as above.

P.R. RAMAN,
JUDGE.

knc/-